

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Alfredo Gonzalez	Team: Squad #3	CCRB Case #: 201802308	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 03/22/2018 11:07 PM	Location of Incident: East 10th Street, between Avenue C and Avenue D	Precinct: 09	18 Mo. SOL 9/22/2019	EO SOL 9/22/2019	
Date/Time CV Reported Fri, 03/23/2018 12:10 AM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Fri, 03/23/2018 4:21 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Sean Walsh	22162	953554	009 PCT
2. LT James Lee	00000	930421	009 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT James Lee	Abuse: Lieutenant James Lee stopped the vehicle in which § 87(2)(b) was an occupant.	
B.LT James Lee	Abuse: Lieutenant James Lee searched the vehicle in which § 87(2)(b) was an occupant.	
C.LT James Lee	Abuse: Lieutenant James Lee frisked § 87(2)(b)	
D.LT James Lee	Abuse: Lieutenant James Lee questioned § 87(2)(b)	
E.LT James Lee	Abuse: Lieutenant James Lee searched § 87(2)(b)	
F.LT James Lee	Abuse: Lieutenant James Lee refused to provide his shield number to § 87(2)(b)	
G.POM Sean Walsh	Abuse: Police Officer Sean Walsh refused to provide his shield number to § 87(2)(b)	

Case Summary

PO Robert McNamara of PSA 4 reported this complaint to the CCRB, via fax, on March 23, 2018. PO McNamara reported the same complaint to IAB, and the IAB log was forwarded to the CCRB under log number 18-12125. There was no video footage available for this incident.

The Civilian Complaint Report that was faxed to the CCRB did not have a name, an address, or a number for the complainant, though it did provide the officers' vehicle plate number. A records request to the 9th Precinct for the identity of the officers assigned to that vehicle yielded positive results. A subsequent request for the warrant audits performed by the identified officers yielded a positive result for the date and time of this incident and identified § 87(2)(b) as the complainant/victim. A DMV search, Lexis Nexis search, and CLEAR search yielded four potential addresses and five potential numbers for § 87(2)(b). All five numbers were determined to be wrong numbers or no longer in service. Between May 9, 2018, and May 29, 2018, three letters were mailed to all of § 87(2)(b)'s potential addresses. On May 30, 2018, § 87(2)(b) left a voicemail stating that he received the letters and he provided a callback number. On May 30, 2018, § 87(2)(b) was contacted, he confirmed his contact information, and he scheduled an interview for June 7, 2018. § 87(2)(b) missed his scheduled interview appointment and did not call beforehand to cancel or reschedule. On June 8, 2018, a fourth letter was mailed to § 87(2)(b)'s confirmed address. Between June 12, 2018, and June 20, 2018, § 87(2)(b) was contacted four additional times, with voicemail messages left on all occasions. The last two voicemails informed him that his case may be closed without a full investigation if he did not contact the CCRB soon. On June 15, 2018, and June 18, 2018, emails were successfully sent to § 87(2)(b). To date, he has not responded to the emails. The U.S. Postal Service has not returned any of the letters sent to § 87(2)(b)'s confirmed address. On June 21, 2018, a search of the NYC Department of Correction and the NYS Department of Correction and Community Supervision websites determined that § 87(2)(b) was not incarcerated.

§ 87(2)(b), § 87(2)(g)

Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date

